



FH

**STATE OF WISCONSIN
Division of Hearings and Appeals**

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MNP/158536

PRELIMINARY RECITALS

Pursuant to a petition filed June 19, 2014, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Division of Health Care Access and Accountability in regard to Medical Assistance, a hearing was held on July 22, 2014, at Milwaukee, Wisconsin.

The issue for determination is whether Petitioner was eligible for medical assistance in December 2013.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

I

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: No one

Division of Health Care Access and Accountability

Madison, WI

ADMINISTRATIVE LAW JUDGE:

Mayumi M. Ishii
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of Milwaukee County.
2. The Petitioner filed a request for fair hearing that was received by the Division of Hearings and Appeals on June 19, 2014. (Exhibit 1)
3. On June 16, 2014, the Petitioner contacted the agency because she had medical bills from December 2013 that were not being covered. (Case comments)

4. The agency worker looked into Petitioner's case and determined that Petitioner was eligible for BadgerCare and Medicaid in December 2013, but the agency did not "build" her disability page until February 24, 2013. (Case Comments)
5. On June 17, 2014, the agency sent Petitioner a notice indicating that she was eligible for benefits for the period of December 1, 2013 and December 31, 2013. (Exhibit 2)

DISCUSSION

The Petitioner submitted an appeal because her December 2013 medical bills were not being covered. According to the case comments and the notice issued to Petitioner, she had coverage under the BadgerCare+ program in December 2013. Accordingly, Petitioner's health care providers will need to resubmit their bills to Forward Health.

It should be noted that the provider is solely responsible for submitting truthful, complete, timely and accurate claims and it is the provider's responsibility to provide complete and timely follow-up to each claim submission to verify that correct and accurate payment was made and to seek resolution of any disputed claims. Wis. Admin. Code §§DHS 106.03(2)(c) and 106.03(3)(b)2.

If the providers submit the bills again and are again denied, the Petitioner can file a NEW request for fair hearing.

CONCLUSIONS OF LAW

Petitioner was eligible for Medical Assistance in December 2013.

THEREFORE, it is

ORDERED

That the petition is dismissed.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be served and filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

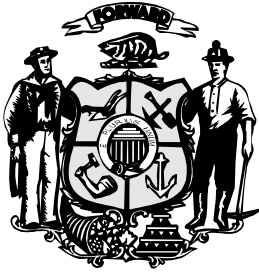
For purposes of appeal to circuit court, the Respondent in this matter is the Department of Health Services. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson

Street, Room 651, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of Milwaukee,
Wisconsin, this 29th day of August, 2014.

\sMayumi M. Ishii
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on August 29, 2014.

Division of Health Care Access and Accountability